

Message Text

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FM AMEMBASSY LIMA

TO SECSTATE WSSHDC 8621

INFO AMCONSUL GUAYAQUIL

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C O N F I D E N T I A L LIMA 0682

E.O. 11652: GDS

TAGS: PFOR, EFIS, PE, EC, US

SUBJ: FISHERIES TALKS

REF: A. STATE 11616; B. LIMA 0507

1. WHILE INITIAL FISHERIES TALKS WITH GOP REPS AT NEW YORK AND GENEVA MAY HAVE LED TO ASSUMPTION THAT IT WOULD BE NECESSARY TO START DISCUSSIONS WITH GOE BEFORE IT WOULD BE PROFITABLE TO APPROACH PERUVIANS AGAIN (REF A), MY MUCH MORE RECENT TALK ON THIS SUBJECT WITH FONMIN DE LA FLOR CONFIRMED THAT THE GOP IS READY TO RESUME FISHERIES TALKS NOW AND THAT HE HOPED WE COULD REACH AN AGREEMENT BEFORE FISH REAPPEAR IN PERUVIAN WATERS AND FURTHER SEIZURES COMPLICATE OUR RELATIONS (SEE MY 9251).

2. MOREOVER, IF GREENE NEGOTIATIONS COME TO FRUITION AS NOW APPEARS LIKELY, WE ARE LIKELY TO ENTER PERIOD WHERE "AMBIENTE" FOR NEGOTIATIONS ON OTHER ISSUES WILL BE CONSIDERABLY AND FAVORABLY ENHANCED. THUS, IT SEEMS TO ME, WE SHOULD CAPITALIZE ON THE MOMENTUM THAT MAY BE GENERATED BY THE AGREEMENT ON OI INVESTMENT DISPUTES AND PURSUE DE LA FLOR'S EXPRESSED HOPE THAT SPIRIT WHICH MADE GREENE MISSION POSSIBLE WILL BECOME MORE PERVASIVE. WE SHOULD OF COURSE AT THE SAME

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TIME REVIUE OPPORTUNITIES OFFERED BY ECUADOREANS WILLINGNESS

DISCUSS ASSOCIATION ARRANGEMENTS WHICH PRESENT INTERESTING ALTERNATIVE SOLUTION TO FISHERIES DISPUTE. HOPEFULLY AMBASSADOR BREWSTER WILL RECEIVE INSTRUCTIONS SOON ENABLING HIM TO FORMALLY PROPOSE NEGOTIATIONS TOWARDS AN INTERIM SETTLEMENT. IF IS POSSIBLE THAT US-PERUVIAN FISHERIES TALKS COULD PROVIDE IMPETUS TO GOE'S AMENABILITY TO ENTER SUCH NEGOTIATIONS.

3. ON THE BASIS OF OUR REVIEW OF PERUVIAN FISHING LEGISLATION AND IMPLEMENTING REGULATIONS, WE BELIEVE IT WOULD BE POSSIBLE TO ACCOMMODATE AN ASSOCIATION CONTRACT ARRANGEMENT. THESE EXEMPT FOREIGN FLAG VESSELS FROM REGISTRATION AND LICENSING REQUIREMENTS WHEN SUCH VESSELS ARE UNDER CONTRACT TO LOCAL ENTERPRISES (PUBLIC, PRIVATE OR MIXED) AS WELL AS WHEN THEY WORK EXCLUSIVELY TO SUPPLY FRESH AND/OR FROZEN FISH FOR DOMESTIC MARKET. REGULATIONS ALSO ENVISAGE GRANTING OF CONCESSIONS TO FOREIGN ENTERPRISES DEDICATED TO FISHING FOR HUMAN CONSUMPTION, ALTHOUGH THERE IS LOW PRIORITY FOR THIS TYPE OF CONCESSION. WE KNOW THAT SOVIETS, POLES, JAPANESE AND CUBANS ARE WORKING WITH GOP IN FISHING AND THERE APPEAR TO BE NO LEGAL IMPEDIMENTS TO SIMILAR ASSOCIATION WITH US. WE WILL BE MAKING DISCREET ENQUIRIES WITH KNOWLEDGEABLE AMERICAN FISHING INTERESTS REGARDING DETAILS OF EXISTING AGREEMENTS AND FEASIBILITY OF US-PERUVIAN ASSOCIATIVE ARRANGEMENTS.

4. WE BELIEVE GOP READY TO EXAMINE ANY PROPOSALS FOR INTERIM SOLUTION, INCLUDING SO-CALLED BRAZIL-TYPE FORMULA. HOWEVER, INVIEW OF ATTITUDES SOME GOP OFFICIALS TOWARDS BRAZIL AS 'SUB-IMPERIALIST' POWER BEHOLDEN TO US, EMBASSY SUGGESTS WE AVOID USING WITH PERUVIANS "BRAZIL-TYPE" LABEL IN FAVOR OF "CONSERVATION" OR OTHER APPROPRIATE CHARACTERIZATION OF FORMULA.

5. UNTIL WE ARE AUTHORIZED TO DISCUSS INFORMALLY WITH GOP REGARDING ALTERNATIVE INTERIM SOLUTION POSSIBILITIES, EMBASSY NOT IN POSITION TO SPECULATE ON LIKELIHOOD OF GOP BRINGING PRESSURE TO BEAR ON GOE TO DISCOURAGE ASSOCIATION FORMULA OR TO ENCOURAGE A CONSERVATION-TYPE AGREEMENT.
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